

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

**WILLIAM COHEN, SUE PAIVANAS,
and CHRISTY OGRODOSKI,
individually and on behalf of all others
similarly situated,**

Plaintiffs,

vs.

**CAPITAL ONE FUNDING, LLC;
CAPITAL ONE MULTI-ASSET
EXECUTION TRUST; and
THE BANK OF NEW YORK MELLON,
as Trustee of Capital One Master Trust;**

Defendants.

JURY TRIAL DEMANDED

Case No. 1:19-cv-03479-KAM-RLM

NOTICE OF APPEAL

Notice is hereby given that William Cohen, Sue Paivanas and Christy Ogrodoski, Plaintiffs in the above-referenced case, hereby appeal to the United States Court of Appeals for the Second Circuit from an order granting Defendants' Motion to Dismiss and ordering that their action be dismissed with prejudice, entered in this action on the 28th day of September, 2020.

Dated: October 28, 2020

/s/

C. William Frick
Christian Hudson
CUNEO, GILBERT & LADUCA, LLP
4725 Wisconsin Avenue NW
Suite 200
Washington, DC 20016

Shanon J. Carson
Glen L. Abramson
Patrick F. Madden
BERGER MONTAGUE PC
1818 Market Street
Suite 3600
Philadelphia, PA 19103

Counsel for Plaintiffs